

REFERENCE TITLE: consumer loans; payday loans; military

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2738

Introduced by
Representatives Gallardo, Lujan: Prezelski

AN ACT

AMENDING TITLE 6, CHAPTER 5, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 6-639; AMENDING TITLE 6, CHAPTER 12.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 6-1264; RELATING TO LOANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 6, chapter 5, article 2, Arizona Revised Statutes, is
3 amended by adding section 6-639, to read:

6-639. Consumer loans; military; classification

A. NOTWITHSTANDING ANY OTHER LAW, ANY PERSON WHO VIOLATES ANY PROVISION OF SECTION 670 OF THE JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007 (P.L. 109-364; 120 STAT. 2083; 10 UNITED STATES CODE SECTION 987) OR ANY REGULATION MADE UNDER THAT ACT VIOLATES THIS SECTION.

B. A LENDER THAT DOES NOT MARKET CONSUMER LOANS TO OR DOES NOT ENTER INTO CONSUMER LOANS WITH A MEMBER OF THE MILITARY SERVICE OF THE UNITED STATES IS NOT IN VIOLATION OF THIS SECTION.

C. A LENDER THAT VIOLATES THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.

Sec. 2. Title 6, chapter 12.1, article 1, Arizona Revised Statutes, is amended by adding section 6-1264, to read:

6-1264. Deferred presentment transactions; military; classification

A. NOTWITHSTANDING ANY OTHER LAW, ANY PERSON WHO VIOLATES ANY PROVISION OF SECTION 670 OF THE JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007 (P.L. 109-364; 120 STAT. 2083; 10 UNITED STATES CODE SECTION 987) OR ANY REGULATION MADE UNDER THAT ACT VIOLATES THIS SECTION.

B. A LENDER THAT DOES NOT MARKET DEFERRED PRESENTMENT TRANSACTIONS TO OR DOES NOT ENTER INTO THOSE TRANSACTIONS WITH A MEMBER OF THE MILITARY SERVICE OF THE UNITED STATES IS NOT IN VIOLATION OF THIS SECTION.

C. A LENDER THAT VIOLATES THIS SECTION IS GUILTY OF A CLASS 1 MISDEMEANOR.